

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WILLIE JAY AUSTIN, # 250 879,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 2:08-CV-312-WKW
	)	(WO)
LOUIS BOYD, WARDEN, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On July 9, 2008, the Magistrate Judge filed a Recommendation (Doc. # 13) that the petition for habeas corpus relief be dismissed without prejudice because the petitioner had not exhausted all available state court remedies. No objections were filed.

After an independent review of the record, it is the ORDER, JUDGMENT and DECREE of the Court that:

1. The Recommendation (Doc. # 13) of the Magistrate Judge is ADOPTED;
2. This cause of action is DISMISSED without prejudice.

An appropriate judgment will be entered.

DONE this 30th day of July, 2008.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE